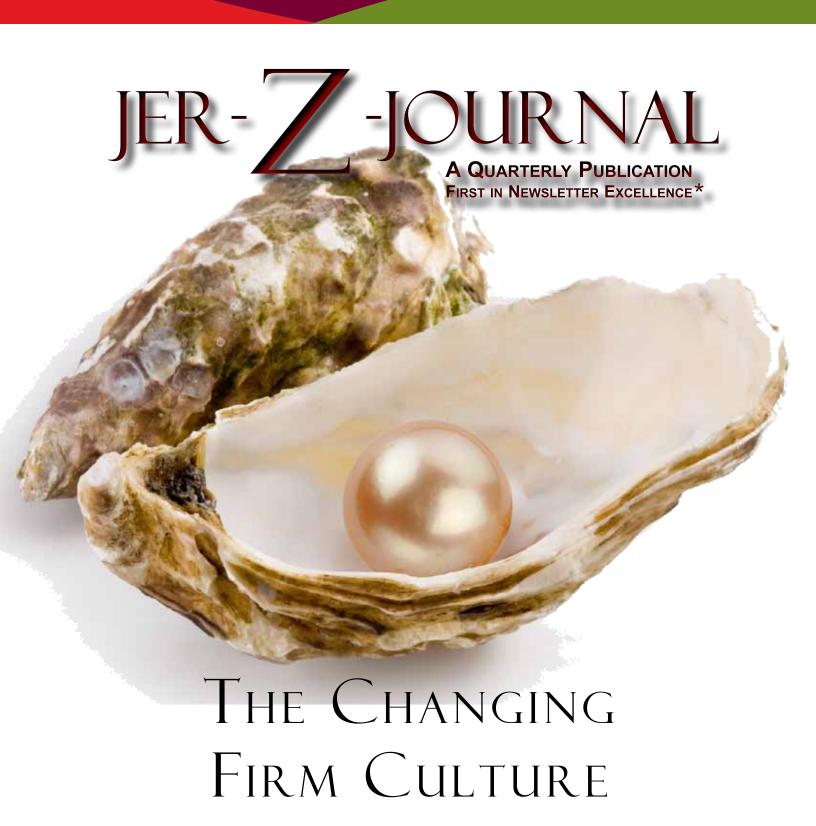


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ON THE COVER

Just as every growing pearl is unique, so are law firms. This month's edition features several articles that address the cultural differences among our practices. Also take note of the special article on page 9 that addresses ways to promote diversity in your firm. Culturally speaking, where does your firm fit in?

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PRESIDENT'S MESSAGE



Go Fish: A Lesson in Firm Culture

By Gayle P. Englert

A year and a half ago our firm went fishing. Not literally, but rather in spirit. We adopted the "FISH! Philosophy." For those of you who have visited Seattle, you may be familiar with Pike Place Fish Market. For those of you who have not yet had the opportunity to visit this city in the great northwest, it is certainly worth the trip. The weather may at times be cool and rainy but it in no way dampens the spirit of the city, which is alive with good food and drink, music (Seattle is home of the grunge movement), and art.

Pike Place Fish Market is located in a historic, open air market in the heart of the city. As you might imagine, working with raw fish all day is not on the list of top ten things that people would want to do for a living. Let's face it, the stuff is cold, raw and can be smelly (yuck). Ok, so it is good for you, is high in protein and generally low in fat, and is part of a well-balanced diet.

Pike Place Fish Market has found a way to make a tough job fun. How did they do it? By finding a unique way to engage their

employees and customers in what would normally be a rather mundane and boring transaction, and by making it interesting. Orders are filled by employees flinging fish to each other. This entertains the customers as they become involved in the activity by commenting on throwing technique, or offering support for a bad catch. Employees often invite customers to join them in their work. The employees give their complete attention to each of their customers, and ensure that each person has an enjoyable visit. People travel from near and far to see the famous fishmongers throwing fish and spending time with their customers. It is not just the gimmick that brings folks to Pike Place Fish Market, they also sell a quality product that can be shipped anywhere in the

So if a fish market can make their workplace fun why can't corporate America? The FISH! Philosophy is a workplace management program that was created by John Christensen, a filmmaker and CEO of ChartHouse Learning. On a visit to Seattle, Mr. Christensen observed how energized and happy the employees at Pike Place Fish Market were in their work, and how well they interacted with their customers. They also sold a lot of fish. He was moved by what he observed and wanted to develop a program that would allow everyone to live and work in this manner with passion and purpose to reach a common goal. Through this inspiration, he developed the FISH! Philosophy based on his experience at Pike Place Fish Market, and created four key concepts which he believed could be applied to any organization.



Gayle and Pete the Perch putting the FISH! Philosophy to work.

Play-Have fun and make the customers feel as though they can have fun while they're there, too.

Make Their Day—When talking to customers, make eye contact and if doing nothing else, make the customer your main focus. This also includes striking up conversation with people walking by your business place.

Be There [for Coworkers] (Often referred to as "Be Present," this has more to do with giving your full attention to a task or individual) -Often times while at the workplace,

people will be there in body, but not mind, meaning that while they are there physically, their presence of mind is not. "Be there" means to be at the workplace in mind and body; to be completely focused on your work and others around you; and to engage in helping other employees maintain a positive attitude as well.

Choose Your Attitude—The philosophy says that you choose your attitude when you wake up in the morning, whether to be nice and friendly for the rest of the day, or to be mean and surly, instead. The philosophy advises to "choose" to be nice and friendly every day, and that good feeling will spread to others.

For our firm, the FISH! Philosophy has been a means to reenergize our group and remind us of those things are we learned in grammar school (the golden rule, mind your manners, etc.). It may seem silly, but it is the little things that mean the most to us that we too often forget. Pete the Perch is our mascot. He is not just a stuffed plush toy, but the symbol of all that is good. Each week Pete is passed from one person to another for reasons that they determine, but it is someone who to them embodies the FISH!

Go Fish: A Lesson in Firm Culture

(Continued from page 4)

Philosophy. Is the person good or kind or helpful? Or perhaps she or he is having a tough time and needs some support.

In the year and a half that Pete has been with us he has traveled more than 1000 miles, and visited all of our offices. We have established Fish Stix, the Fish Steering committee, and Fish Filets. The latter is a volunteer group that includes more than 50 people who wish to keep the spirit of FISH swimming, including the firm's executive and management committees and department chairs and key administrative department heads. We meet quarterly to discuss ideas about how we can make the firm a better place to work (ideas that have been implemented have ranged from healthier food options at firm luncheons to video interviews of employees to learn more about them as individuals). In May we celebrated Pete's birthday by having a "catch of the day" drawing. Each winner received a gift card to a fish restaurant. The grand prize winner won a \$250 gift card to Pike Place Fish Market. (The winner of the prize confirmed that the fish was fabulous!)

So if you need some motivation, you may want to give the FISH! Philosophy a try. Do not hesitate to jump into the pond. The fish are swimming and the water is fine! For more information about the FISH! Philosophy visit www.charthouse.com.

Gayle Englert is the Director of Human Resources at Cole, Schotz, Meisel, Forman & Leonard, P.A. in Hackensack



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LEGAL INDUSTRY



An ADA Update

BY ROBBIN DOLAN, CLM

Let's face it; the details of the ADA (Americans with Disabilities Act) are boring! There were many times while writing this piece that my eyes glazed over. However, it is our job as administrators to know the ins and outs, and to keep pace with any changes that are driven by the Equal Employment Opportunity Commission (EEOC), the governmental body that enforces the ADA. Recently, the EEOC has decided to target employers over their "reasonable accommodation" policies, and many lawsuits have been filed. This article explores the very basic premise of the ADA as a refresher, what the EEOC now considers a reasonable accommodation, and the latest trends in enforcement.

What is Considered a Disability Under the ADA?

The law's intent is to prohibit discrimination against persons with disabilities in the workplace. In order to be considered disabled under the ADA, a person must have a "disability" that "substantially limits" one or more "major life activity." Each of the terms in quotes deserves a more detailed explanation, and a full understanding of each is necessary for the employer to treat the employee lawfully under the ADA. A good resource for more specific guidelines is found at www.eeoc.gov.

Statutorily, a disability is "a physical or mental impairment that substantially limits one or more of the major life activities of an individual." Sometimes these disabilities are obvious, like a physical impairment. Other times they are not, as in the case of mental illness. This makes for difficult judgment calls on behalf of employers. Unfortunately there is no one place you can go for a list of ADA disabilities. The EEOC has purposely left this amorphous because they want disabilities considered on a case by case basis.

A person claiming to have a disability under the ADA must have an actual impairment. What's an impairment and how can an employer determine that? Again, there is no list. An impairment must be established by a treating physician unless it is obvious to the employer. An impairment can be physical or psychological. Some examples of impairments include missing limbs (obvious) and post-traumatic stress disorder (not obvious). Therefore, an employee's physician might have to provide documentation to the employer in order to establish

that a condition is an impairment.

We are not done yet in our evaluation. For an impairment to be considered a disability, it must substantially limit a major life activity. The EEOC has given some guidance on the meaning of "major life activity." This generally includes breathing, walking, hearing and seeing. For example, someone may have high blood pressure, which is considered an impairment, but if it is controlled by medication then it would not be considered as limiting a major life activity. On the other hand, someone who is blind has an impairment that substantially limits a major life activity, and is thus disabled. It is largely upon the employee and their doctor to demonstrate that the impairment limits the life activity.

Once a Disability is Established, What Do We Do?

The ADA requires employers with more than 15 employees to provide "reasonable accommodations" to employees with disabilities, unless it would cause "undue hardship." It is a general rule of thumb that the individual should request an accommodation, not that the employer should suggest it. This request can be verbal and does not have to be in writing. Employers, however, are advised by the EEOC to document all actions taken in response to the request. If the impairment is not obvious, the employer has the right to ask for documentation from the employee's doctor.

Reasonable accommodations are intended to remove the workplace barriers for a disabled person. These barriers might be physical (like preventing wheelchair access) or procedural (like rules regarding leave). Reasonable accommodations are changes an employer makes to enhance the working conditions of a disabled person. Some examples of reasonable accommodations include: changes to the work environment, changes in the way a job is done, and changes that enable an employee to enjoy equal benefits of employment, such as job training.

The operative word here is "reasonable." How can an employer determine what is reasonable? The EEOC views that employers must provide an accommodation so long as it is effective and does not cause "undue hardship." A request

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An ADA Update

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for an accommodation that would cause undue hardship includes something that would mean significant expense or difficulty to the employer. For example, eliminating a person's primary duty is an undue hardship. Similarly, a request that would cause financial difficulty is undue. The problem for employers is that they have to determine what is reasonable and undue based on vague guidance on the part of the EEOC.

The best way for an employer to handle a request is to work with the employee to try to accommodate it. For example, if you can absorb the work using other workers, an employer could grant a request for a disabled person to change their hours. Another reasonable accommodation would be granting an employee leave (unpaid) beyond the usual benefit time allotted. Yet another reasonable accommodation would be to buy equipment or furniture that could accommodate the disability.

Latest Developments

Several major lawsuits relative to leave as a reasonable accommodation have been settled in the last year. Verizon had to pay \$20 million to disabled employees because the company strictly enforced its "no-fault" leave policy. That policy required disciplinary consequences leading to termination if an employee used more than their allotted benefit time, something that could very well happen with a disabled individual. The EEOC's position was that Verizon should have made exceptions to the policy as these exceptions did not constitute undue hardship. The EEOC advised employers that they become more flexible with leave policies related to disabled persons.

But how much leave is reasonable? The employer must decide how much leave is appropriate, and the EEOC did not provide good guidance on how to make this decision. As a result, the EEOC held a hearing regarding leave as a reasonable accommodation, and is expected to provide additional guidance soon.

The best way for employers to handle accommodation requests is to work closely with the employee, document all decisions, and to get expert advice if in doubt. Although the guidelines are vague and could be considered subjective, it is in the employer's best interest to try to work through these difficulties and reach accommodations for disabled employees.

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Navigating the Winding Road to Cultural Diversity

By Doreen Marino

Law firms have been addressing diversity initiatives for close to two decades, yet the law firm still lags behind in diversity development. In most instances, it is not for lack of strong efforts. There are many theories as to why diversity is not soaring in this profession. Law schools certainly have been steadily increasing in diverse students. Why are we struggling?

One of the first and foremost problems is that too much, if not all, of a firm's diversity initiatives focus on recruitment. The reasoning is that if you hire a diverse workforce you have accomplished your diversity initiatives. The National Association of Law Placement (NALP) reported in 2010 that 75% of associates of color leave their law firms before achieving partnership. So, logically, the real success in

diversity initiatives must focus on retention. If it normally takes eight to ten years for an associate to succeed to partnership, that is a ten-year commitment to minority attorneys to help them succeed in the firm's environment.

Law firm culture can inadvertently destroy the investment the firm is making

on diversity initiatives. Senior partners certainly have the most influence. Young attorneys emulate the culture driven by the senior attorneys. Therefore, it is the burden of the senior partners to lead the initiatives by spearheading the cultural competence of why and how attorneys succeed in the firm.

Firms constantly face the frustration from making large investments in the development and training of young attorneys, and then those attorneys leave and take their talent elsewhere. A good portion of those who leave are minority attorneys. For every attorney that leaves the firm, someone should be taking the responsibility of having not succeeded in retaining that attorney. A good portion of attorney development should be focused on developing the attorney to become an integral part of the firm culture. Yes, there are a percentage of attorneys that fail in the profession and **should** be moving on. But most voluntary departures have a negative impact on the firm.

It is surprising how many law firms invest in diversity initiatives and focus on "people fitting into" the law firm culture. The two contradict each other. In other words, if we focus on who fits in, we are locking out the diverse workforce. If the firm suffers from this similitude, it is typically obvious that those who did not "fit in" contributed to your turnover, wasting the firm's money spent on diversity initiatives. This is formally referred to as cultural incompetence—a nicer way of saying, "We just don't know better."

One of the first steps a firm needs to do is to focus on the firm culture and tweak the culture so that senior partners know how to support an all-inclusive environment. Is the firm "cliquey"? Does everyone feel "included"? Law firms have the tendency to project that the environment is perfect, and that

the attorney should figure out how to fit in and succeed. At one time maybe that was true. Today, you just lose some of the best talent.

The best investment a firm can make toward its diversity initiatives is training and development of all its employees—starting at the top. Without this

necessary groundwork, the firm is doomed to fail. How can a firm possibly understand why minorities don't feel like they belong if they are not educated on how to make everyone feel like an integral part of the firm?

Once a firm is educated, then (and only then) the firm is prepared to begin to develop the core principles and expected behavior. Policies, procedures, and proper mentoring can be built into the firm, thereby supporting overall firm initiatives. The firm itself undergoes a developmental process, which takes time and deliberate personal investment. Diversity initiatives should be part of the firm's overall strategic plan, and a diversity committee should be held responsible for meeting those goals. Also keep in mind that everyone knows what diversity is. Do not waste your time on basic facts in your training—go to the core of real diversity training. Do not waste your time making a statement of the firm's commitment toward diversity if you

(Continued on page 10)

Diversity

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are not prepared to detail how the firm intends to support that commitment.

I know what most of you are thinking at this point. If an attorney works hard and bills his/her hours, he/she will get more work and continue to bill more hours, putting them on a road to success in the firm. Background, race, creed, color, gender all have nothing to do with it. But this is why this is a myth. Dedication and devotion to the job drops when an attorney does not feel that he/she is an integral part of the firm. Feelings of being isolated and not included develop. The attorney starts to feel that he/she made the wrong choice to join the firm. The firm loses many talented attorneys this way, with minorities being high on this list.

Inclusion is essential in diversity initiatives. To fully understand how to implement and support inclusion, remember that the firm needs to be educated in order to build the awareness needed. The concept is not new. We learned this in third grade. But how to make different cultures feel included is what we struggle with. Moreover, inclusion efforts also capture your non-minorities who also leave firms for the same reason.

Ways that employees feel included is an entire article in and of itself. But there are some easily identifiable ways that employees are being excluded. Make sure partners are cognizant of not playing favorites. Omitting attorneys, who work together on a case, from things such as lunch and dinner is very damaging. Not including your younger associates on strategy plans for a case is damaging. Donating more time to one associate's success causes others working with that partner to feel excluded. These are all obvious. If done too often, when you reach out to include those forgotten associates, they no longer have the desire to participate—damage done.

Most of you have probably heard the term "affinity groups." These groups are strategically developed to support diversity initiatives—mostly common in larger-sized firms. Developing a group for employees to belong to supports inclusion efforts. Many experts debate on the pros and cons of affinity groups. It does appear, though, that an affinity group can be very successful if headed and steered in the right direction. These groups should only be allowed to form if they support business goals and objectives. A leader should supply the affinity group with a mission statement, and monitor the group to make sure the group focuses on the professional success of their group (business initiatives only). A couple of sure death sentences for affinity groups is when the group is not being led or headed by a well-respected member of the firm, and when the group is being selective of members (e.g., an Asian group cannot hand select which Asians are invited to belong).

So what is essential in your diversity program?

Senior Partner Commitment. If your senior partners do not fully support and participate in diversity, no one else will. Then you are just going through the motions for appearance purposes, but it can never succeed.

Recruitment. Remember, recruitment is only a small part of the diversity initiatives—an important part, but only a small part.

Phases. Developing real diversity initiatives takes time and comes in phases. The amount of phases depends on the size of the law firm. It is not one meeting. It is not one statement of commitment.

Education and Training. How to make your diverse workforce succeed takes understanding of what makes each and every race, creed, nationality, color and gender succeed. It is no small task. It is not the same for each group. Everyone, not just the partners, not just the diversity committee, but **everyone** needs to be educated and trained.

Firm Culture. Firm culture needs to adapt and support diversity initiatives. The firm culture sets the environment for present and future employees.

Strategic Planning. Once the firm is fully educated and trained, the diversity mission can be developed, strategic diversity goals can be blended into the firm's overall goals, and the diversity committee assumes responsibility for making sure the firm meets those goals.

Quantifying. Do not drop the ball. Your diversity initiatives have not reached any level of success until you have successfully reached a diverse partnership. Each year the diversity committee should analyze, revise, and document initiatives so the goals increase with each level of success reached.

Diversity is the means by which a law firm can obtain the very top talent for the firm. It is the means by which a firm ensures the firm's longevity. Moreover, a firm's diversity is the means by which clients judge whether or not the firm takes seriously the need to retain top talent in the industry. This is not your equal employment opportunity program. This is taking off the blinders of "sameness" and opening your business to the best talent out there—regardless of race, creed, nationality, color, or gender.

Doreen Marino is the Human Resources Director of Lerner, David, Littenberg, Krumholz & Mentlik, LLP in Westfield Would you let your attorneys use anyone but the

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HUMAN RESOURCES



FINDING THE RIGHT FIT: THE IMPACT OF FIRM CULTURE ON RECRUITING

BY BRIDGET D. ASPLUND, Esq.

Every company, including law firms, has their own "culture." This culture is often comprised of the seemingly intangible list of norms that are shared by people within the organization, and shape how the organization functions on a daily basis. It can include the unique beliefs, practices and behaviors of individuals within the organization. While it may seem impossible to define these terms, being able to do so can be one of the most important recruitment tools a firm can utilize.

Firm culture influences a firm's ability to attract and hire candidates. A firm's culture is something that is generally well known in the marketplace. Sometimes this happens accidentally, but other times it is the result of smart firms knowing that the best way to attract appropriate candidates is to be clear about the core values of the firm and project them to the outside world. Often, this message is passed along through firm initiatives that are unrelated to recruitment initiatives. A firm with a marketing department that is already doing this will be a tremendous asset to recruitment.

However, internal recruiters should take every opportunity to market the culture of the firm as well. Constantly reaffirming the firm's values needs to be done when placing advertisements for positions as well as interacting with recruiters assisting with job openings. It is important to focus on any factors that make the firm stand out from competitors and to try to portray the firm in the most realistic way possible.

When this message is well known, it allows prospective candidates to filter themselves. Candidates will automatically gravitate towards firms that share their own values. For example, if a firm is known for offering work-life balance, candidates who value that quality will apply. On the other hand, if a firm is known for being a place where employees are expected to act autonomously, candidates who are more interested in a collaborative environment will look elsewhere. The goal is to attract people who have the best chance to be successful at the firm while discouraging people who would be more successful elsewhere.

Once a candidate pool has been established, the firm's culture is also key to selecting new hires. It is important that everyone involved with the interviewing and hiring process be aware of these practices. This is one of the many reasons why it is important for the recruitment team to be well educated in the culture of the

firm and well trained in interviewing and selecting candidates. Although it takes up firm time and resources, if attorneys and management within the firm are involved in hiring decisions, then they need to understand the hiring initiatives of the firm and be committed to be supporting them. There also needs to be training on how to best present the core values of the firm so that they can be easily and correctly understood by the candidates.

When interviewing, it is very important to ascertain whether the candidate is smart, competent and capable of doing the job in question. Oftentimes, the inquiry stops there. It is important to understand that even if someone is fantastic at the nuts and bolts of their position, they still might not be the best hire for the company. It is equally important that the interviewers like the person they are meeting, and feel that they will fit in well at the firm. Will this person be able to seamlessly work with the other employees and clients of the firm? Will their presence within the group be disruptive? Regardless of how well credentialed and experienced this candidate may be, a firm should not hire them if they are not a match for the existing culture of the firm.

One of the very best ways to determine this is to get the candidates involved in more than just the traditional substantive question and answer interview process. It is helpful to ask the candidate about the kind of work environment they are the most comfortable in or to delve into the details of their existing work environment to determine what they like the best or least about it. If a firm is on the fence about a candidate's fit on a personal level, it might also be helpful to invite the candidate to an informal lunch or meet and greet session so that they can be observed in a less structured environment.

It is important for firms to hire people whose values align with the firm's culture. When a candidate feels at home within the firm, they will be more likely to accept an offer even if it doesn't come with the highest salary or best benefits. Even more important is the impact that a bad hire can have on the organization. The negative impacts range from turnover costs to diminished morale and productivity within the workplace. Lastly, hiring the right person goes a long way towards assuring long term employee retention, which is perhaps the most important factor in hiring.

Bridget D. Asplund, Esq. is the Director of Recruitment of Norris, McLaughlin & Morris, P.A. in Bridgewater



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UP TO THE MINUTE ...

SUMMARY OF MINUTES OF THE NJALA EXECUTIVE BOARD MEETINGS HELD AUGUST THROUGH OCTOBER, 2011

By Robbin Dolan, CLM

NJALA board members are: Gayle Englert, President; Lisa Cuffari, CLM, President Elect; Mary Ellen Dolan, Vice President; Audrey Serban, Treasurer; Robbin Dolan, CLM, Secretary; Fran Puntillo, CLM, Immediate Past President; Sara Diaz, Trustee; Elli Albert, Trustee; Doreen Marino, Trustee; Michael Harrison, Trustee; Mary Beth Donoghue, Trustee; Sarah Clark, Alternate Trustee; Jackie Pampinella, Alternate Trustee

Membership

Mary Ellen Dolan reported that we have five new members, with more expected.

Programs/Workshops

Lisa Cuffari reported that the January meeting would be a series of roundtables covering the major aspects of legal management—finance, human resources, technology, marketing, and office management. Both vendors and experienced members will lead the roundtables. Members will be asked in advance what topics and/or questions they wanted addressed. Lisa also reported that the speaker for Managing Partner night was still undecided.

Robbin Dolan reported on a tentative schedule of three more workshops, including hiring and termination, diversity and virtual office and related technology.

Community Challenge

Sarah Clark reported that the school cleanup project would be held in early November. Members will be asked to bring donations, including gift cards, to the holiday social.

Business Partner Relations

Rose English presented a list of current business partners sponsors to the board. We expect to have even more business partners this year than in past years.

Mary Ellen Dolan reported that there were 61 vendors for the Business Partner Expo. The board is considering moving the Expo to November next year. Doreen Marino won a \$3,000 scholarship to the 2012 ALA Annual Conference in Hawaii.

Publicity

Doreen Marino reported that Daphride Exume, an intern at McElroy, Deutsch, Mulvaney & Carpenter, LLP, would

assist with taking publicity photos for the chapter. Doreen also reported that contract renewals for advertisers begin in November.

Audrey Serban reported that a board photo was published in the New Jersey Law Journal and that recent calendar events were submitted to the NJLJ as well.

Newsletter

Elli Albert reported that the ALA trend was for newsletters to go to an electronic format. Questions related to electronic newsletters were included in the member survey. Two thirds of respondents felt they would read the newsletter less if it was in an electronic format only, so the board decided to maintain the current newsletter format. In an effort to cut costs, the number of pages will be reduced slightly and the newsletter mailing list will be cleaned up.

Elli also reported that the Summer/Fall edition was delivered. The next edition, "The Evolving Firm Culture," is underway and will be mailed in mid-December. Elli also reported that New Jersey State Bar Association asked to reprint our articles on their website.

Past President's Council

Fran Puntillo reported that the golf outing will be held again in the spring. She also reported that the Above and Beyond contest will not be held this year.

Website Liaison

Michael Harrison reported an email issue is ongoing, with email to some members from the website going to spam folders. He will send test emails to all members to try to address this problem. He is also working on a plan to set up Twitter and LinkedIn accounts for the chapter.

Holiday Social

Audrey Serban reported that Canoe Brook Country Club has been booked for the holiday social on December 6, 2011.

Robbin Dolan, CLM, is the Legal Administrator of Laddey, Clark & Ryan, LLP in Sparta

A Quarter Past









September, 2011

On September 13, 2011, the 18th Annual Business Partner Expo was held at Mayfair Farms in West Orange, New Jersey. It was a well-attended event by both business partners and NJALA members, alike. The Expo was preceded by an Educational Session "Charting a Path for Cloud Computing in the Legal Community," presented by Tim Crawford of All Covered, a division of Konica Minolta Business Solutions USA, Inc., and Richard Schulman of LAN Associates.

On September 27, 2011, an educational workshop was held at Gennet, Kallman, Antin & Robinson on "How Do the New 401(k) Rules Affect You and Your Employer." The presentation was led by Eve Kaplan, owner of Kaplan Financial Advisors.

October, 2011

On October 4, 2011, the regular monthly NJALA meeting featured popular ALA speaker, Mary A. Redmond of Independent Lease Review, who presented "Equipment Leasing: The Fine Print Implications." She was later joined by Greg Williams, known as "The Master Negotiator," for a demonstration of the differences in the ways men and women negotiate.

Do you have a legal management problem, question or issue that you need to resolve? The **ALA Legal Management Resource Center (LMRC)** is designed to immediately provide the information you need or to quickly direct you to other resources, most on the Internet, where the knowledge you seek can be found. For more information, visit www.alanet.org/lmrc.

In Memoriam



A FOND FAREWELL TO JOHN

By Karen Steinberger, CLM

On September 7th, our ALA friend, John Finnegan, passed away unexpectedly at his home in Cedar Grove.

John, who grew up in Roselle, New Jersey, graduated from Roselle Catholic High School and obtained his bachelor's degree from Rider University. He was an ALA member for many years, and was the Administrator at the firm of Blume, Goldfaden,

Berkowitz, Fried & Forte in Chatham for 23 of those years.

John was well respected by his peers, and those of us who knew him liked him immensely, respected him, and trusted him. I got to know John in the early days when Blume Goldfaden was in Newark. ALA members would meet at his office for committee work, networking, and to discuss the burning issues of the day that faced legal administrators. It was the beginning of a wonderful professional friendship. John had a quiet, laid-back demeanor as well as a sense of humor so quick and so deep that I often had to think about what he said for awhile before I "got it" (he would always wait for my reaction!). When John called me, he would never say "Hi, Karen"—he would always say "Steinberger? Finnegan." It always made me laugh!

But when we think of John, many of us remember him most for his passion and

love of music. He was the singer, guitarist, harmonica player, and heart and soul of the FC Band (recently changed to Finnegan and Friends). One day, I asked John what the "FC" in FC Band stood for and he said "follicly challenged" (because all of the band members at the time were bald), one of the many examples of his keen sense of humor.

I recall the first time I heard John and the FC Band play. I wanted to get a group of ALA members together to hear him, but, not knowing if he was any good, I thought it would be best to go see him with a few of my friends, first. We trekked to Tobacco

Road, a "joint" in Hell's Kitchen behind the Port Authority in New York City. The minute I heard the first tones of the music and John opened his mouth to sing, I was completely blown away. He belted out John Hiatt tunes as good as Hiatt himselfwho knew? That visit to Tobacco Road was the first of many attended by me, my friends, and many ALA members. Other venues included Tierney's Tavern, Church Street Center Stage,

> Fine Grind Café, Tapestry, Fitzgerald's Pub, and the Montclair Public Library. For his birthday party one year, John played at the Glen Ridge Train Station—what a great night! The last time many ALA members heard him play was after the Business Partner Expo in 2010. The band had a gig at Hat City in Orange, and many ALA members and business partners went over there to hear him after the Expo—what a great time! Then there was the time when John (guitar in hand) and his longtime partner, Maribel, joined a group of us for our annual trip to New Orleans. John was truly in his element of good music.

> Those of us who heard John play met Maribel, the love of his life, who was always in the audience, many times with family and friends. John had a tremendous zest for living and took great joy in the love he and Maribel shared. He was always happy to tell you about Maribel, her four children and granddaughter, and found great happiness with them all.



John Finnegan

I am so sad for the loss of my dear friend who was taken from us far too soon, but will always have fond memories that will bring a smile to my face.

John will truly be missed by us all. Rest peacefully, my friend.

Karen Steinberger, CLM, is the Executive Director of Saiber LLC





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What's on Tap

ALA and NJALA 2011/2012 CALENDAR OF EVENTS

Tuesday, December 6, 2011 (6:00-8:30 PM)

This year's **Holiday Social**, will be held at the beautiful Canoe Brook Country Club in Summit. There will be food and fun for all, along with milestone anniversary celebrations for our members. A buffet dinner will be served.

Tuesday, January 10, 2012 (6:00-8:30 PM)

Monthly Meeting and Workshop at the Highlawn Pavilion in West Orange. January's meeting will feature roundtables on topics including HR, Technology, Marketing, and Finance. A buffet dinner will be served.

Wednesday, January 18, 2012 (2:00 PM)

ALA Webinar. Topic: "Selling Blue Elephants: Client Marketing, Retention and Loyalty," presented by Howard R. Moskowitz, Ph.D., of Moskowitz Jacobs Inc., and Ken Rotondo, DVM.

Tuesday, February 7, 2012 (6:00-8:30 PM)

Monthly Meeting and Workshop at the Highlawn Pavilion in West Orange. Topic: How to Comply with State/Federal Family and Disability Leave Laws," presented by Carolyn Buccerone, Esq. of Genova, Burns & Giantomasi. A buffet dinner will be served.

Wednesday, February 22, 2012 (2:00 PM)

ALA Webinar. Topic: "Employee Handbooks for Law Firms – Careful, Careful!" presented by Michael S. Cohen, Esq. of Duane Morris.

Tuesday, March 13, 2012 (6:00-8:30 PM)

Monthly Meeting and Workshop at the Highlawn Pavilion in West Orange. Topic: "Ramping Up Revenues," presented by Frederick J. Esposito, Jr., CLM, of Meyer, Suozzi, English & Klein. A buffet dinner will be served.

Wednesday, March 21, 2012 (2:00 PM)

ALA Webinar. Topic: "The Art of Active Listening," presented by Debra Bruce of Lawyer-Coach, LLC.

April 22-26, 2012

You've heard the news by now—the **2012 ALA Conference** and Exposition will be held at the Hawaii Convention Center in Honolulu, Hawaii! This year's conference promises to be another landmark event. Join fellow ALA-ers from across the globe as we share in educational sessions, meet with business partners at the exposition, and reconnect with old ALA friends. Registration will begin in January.

For information about:

<u>Monthly meetings</u> – Please contact Lisa Cuffari, CLM, of Fox and Fox at 973-597-0777.

<u>Educational Workshops</u> – Please contact Robbin Dolan, CLM, of Laddey Clark & Ryan at 973-729-1880.

NJALA Socials – Please contact Jackie Pampinella of Fox Rothschild at 973-992-4800.

ALA Webinars: Registration and general information is posted on the ALA site, www.alanet.org/education/regconf/telesem.html.



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LIGHT SIDE



What's Your Cultural IQ?

By Beverly Loughlin

The word culture has many meanings. It can be the values and behavior contributing to your firm's unique environment. For biologists, culture is likely to be a colony of bacteria growing in a laboratory Petri dish. For anthropologists and other behavioral scientists, it's the full range of learned human behavior patterns. For others, it's an appreciation and knowledge of human intellectual achievement.

Since we collectively and individually define and are defined by culture, does that make us "cultured?" The following dozen questions won't answer that question, nor will they definitively establish your Cultural IQ. Answering them correctly, however, will give you cultural bragging rights at your firm and may provide just the edge you need to implement changes to your structured organizational culture. Let us begin.

- 1. In Mythology, who introduced wine to the world and subsequently went mad? I suspect there's a moral to this story, and I'll certainly drink to it.
- 2. True or false: The Amazon River was named for a tribe of warrior women.
- 3. What is the Great Sphinx? "Managing Partner" is not an acceptable answer.
- 4. Name the states that seceded from the Union to form the Confederacy. Or name as many as you can. Each correct answer honors your American History cultural literacy.
- 5. Who were the Vikings? Hint. They were not from Minnesota.
- 6. True or false: The Electoral College is a school for politicians in Washington, D.C. Well, that's just silly. Try this one: Which constitutional Amendment gave women the right to vote? That question is too easy. Here's a better one. What was the landmark Supreme Court decision in *Plessy v. Ferguson*? Give yourself a Civics cultural citation for the correct answer.
- 7. "If music be the food of love, play on..." Name the work and the author.

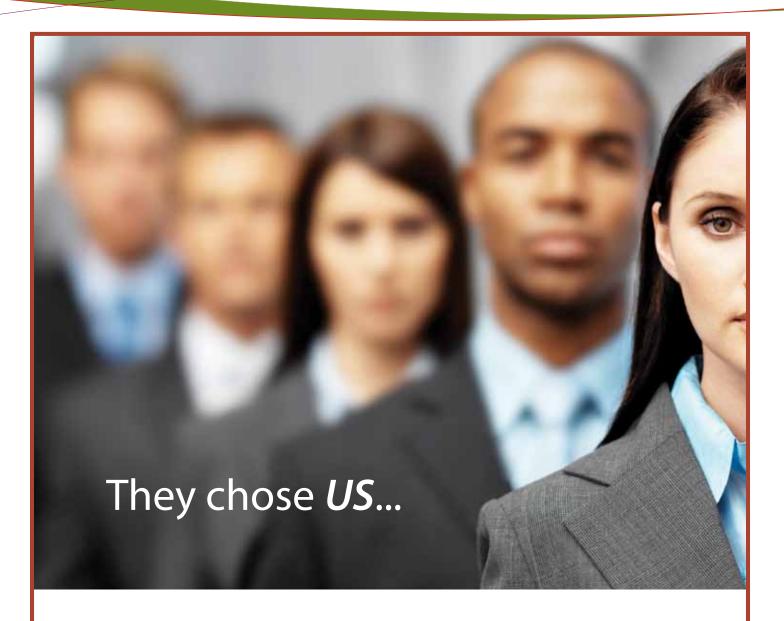
- 8. What kind of a choice is a "Hobson's choice?"
- 9. What American poet lost a job with the Department of the Interior because of his "immoral" writing about the human body and sexuality? If you are interested in "immoral" writing, this poet's works are readily available in hardcover, paperback and on Kindle.
- 10. What is a light year? Although it may indeed be the elapsed time between your vacations, focus on the physical sciences for your correct response.
- 11. *Kubla Khan*, sometimes called the "drugged-out classic," was written in an opium-induced haze and never finished. Name the poet.
- 12. Which animals of different species can interbreed and with what results? What can we learn from this?

Now that you're all cultured up, you can turn your attention to your firm's cultural identity. We all know that Americans work too many hours compared to workers in many European countries. What can you do about that? Nothing? Don't despair. Make lemonade. Alternatively, as long as you're spending so many hours in the office, why not enjoy those hours. If your firm isn't ready to accept European culture, try a little bit of Asian culture. The Japanese, for example, have some pretty amazing vending machines. Sushi, pet roaches, Buddhist prayer bead-rolls and used women's undergarments are but a few of the interesting choices. If you can secure a liquor license, you can stock your machines with beer, wine and sake.

Now that's culture.

Beverly Loughlin has been a member of the NJALA since 1991

Answers to the Cultural Challenge appear on page 37.



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CONFERENCES



2011 ALA REGION 1 CONFERENCE & Expo: "Your Bridge to Success"

By Barbara Maglin

I was selected as one of the fortunate scholarship winners to attend the ALA Region 1 Conference and Expo, which was held in Pittsburgh, PA, on October 13-15, 2011.

First, a little education about historic Pittsburgh! The history

of Pittsburgh dates back to the 1700s, when the Iroquois ceded the land north of the Purchase During the mid-19th century, Pittsburgh witnessed a dramatic influx of German immigrants, including a brick mason whose son, Henry J. Heinz, ultimately founded the H.J. Heinz Company. Heinz was at the forefront of reform efforts to improve working conditions, hours, and wages.

Although Pittsburgh was at the forefront of the steel industry years ago, the primary industry has now shifted more to high technology, such as robotics, health care, nuclear engineering, biomedical technology and financial institutions. Pittsburgh now still maintains its status as a corporate headquarters city with eight Fortune 500 companies calling the city home.

Line to Pennsylvania. An estimated 4,000 to 5,000 families settled in western Pennsylvania. The settlers were made up of English, Scottish-Welsh, German Irish, and others. These groups tended to settle together in small farming communities. The life of a settler family was relentless hard work,

clearing the forest, stumping the fields, building cabins, etc.

After the Revolution, the village of Pittsburgh continued to grow. Because there are five rivers surrounding this area, flatboats were used to send goods downriver. The town continued to grow in manufacturing capability. Pittsburgh sat in the middle of one of the most productive coalfields in the country. The region is also rich in petroleum, natural gas, lumber and farm goods. In the 1800's the first steamboat was built in Pittsburgh. The iron and steel industry developed rapidly after 1830, and became one of the dominant factors in industrial America.

our hotel which was in the midst

our hotel which was in the midst of the financial district and the court house. The architecture of the old churches and the court house

My ALA
What makes ALA unique for you?

buildings was stunning. Of course, there were many stores to shop in such as Macy's Lord & Taylor, and Saks Fifth Avenue.

As I was driving the six hours that it took for me to get to Pittsburgh from New Jersey, I had a mental picture

of Pittsburgh to be a

stacked, industrial-clad

not even close to what I

experienced during my

I walked around the

few blocks surrounding

smoke-

which was

fog-cluttered,

town ...

stay.

2011 Region 1 Conference & Expo

(Continued from page 22)

Our hotel, the Omni William Penn Hotel, was magnificent. opulence, striking beauty, charming presence of this historic landmark were captivating. I learned that many important celebrities and famous politicians had been guests at this hotel, such as President Obama, Desmond Tutu, Robert Redford, Bill Cosby, and many more. The G-20 Summit was held here. Lawrence Welk began his career at this hotel, and in the lobby stands the original "bubble machine" that was once a prominent feature in his performances. Bob Hope proposed to his wife, Delores, in a room which was later named the "Bob and Delores Hope Conference Room." Omni William Penn hosts the entire Pittsburgh Steelers football team the night before their home games. The lobby was exquisitely decoratedwith a baby grand piano and ornate chandeliers.

The next seminar I attended was the most important for me. Michael Nash was the presenter and explained the theory of "triangulation" within an organization. Triangulating refers to the communication of negative thoughts or feelings about someone to someone else in an organization. The results are misunderstandings, misinterpretations among people, ineffectiveness and more. In short: low morale. Mr. Nash taught us how to work through these kinds of communication issues within our organization.

The last two seminars I attended were "Leading by Strengths," which had a lot of audience participation, and "Social Media Legal Marketing," which encompassed the issues we all now face with Facebook, Twitter and other marketing tools.

Of course, many business partners were represented in the exhibit hall. It is great to be able to rely on our business partners,

their products, and, of course, their support.

One aspect of ALA conferences that I really enjoy is meeting and talking with other administrators from the region. All administrators seem to experience the same issues that we do on a daily basis, and it was great to discuss with them what to do

to try to resolve our problems. That is unbelievably helpful to me.

In closing, thank you once again to the NJALA for allowing me to enjoy this great experience.

Barbara Maglin is the Firm Administrator of The Simeone Law Group, LLC in Morristown

And now, onto the Conference, which was the reason for my trip. It started with a Welcome Reception for all which was held in the William Penn Ballroom. On Friday morning, our speaker was Mary Jo Paloranta, who spoke on "Enhancing Potential and Influencing Success." Mary Jo gave pointers on thriving

in the new world of work and to be able to manage in times of constant change. She was a terrific motivational speaker.

The second seminar I attended was entitled "Secrets of Super Productivity," presented by Neen James. Ms. James taught us to be as productive as possible during our day and how to manage our work more effectively.







OFFICE MANAGEMENT



OH, WHAT A NIGHT! NJALA 18th Annual Business Partner Expo

By Angela M. Segal.

Once again, on Tuesday, September 13, 2011, Mayfair Farms in West Orange, New Jersey, filled ballroom with over 60 business partner exhibit tables. The evening afforded NJALA members the opportunity to acknowledge vendors who service our firms. But it's also a great way to learn about new products and services that could benefit your organization in a wonderful setting. Not to mention win a prize or two! Yes, it's one of the special events everyone looks forward to attending each year.

As I strolled past the registration table in the lobby, I was impressed by the table filled with donations of "Back to School Supplies" for Youth Consultation Services (YCS), a private, non-profit 501(c)(3) social services agency that provides individualized care to more than 2,500 New Jersey children and families each month. The support for this organization—one of the organizations supported by this year's Community Challenge events—is a wonderful way to show our support of the community.

There is something for everyone at the Expo. Each year the expo committee provides an educational session to address a topic or business trend of interest to the legal community. This year, the evening began with a presentation on "Charting a Path for Cloud Computing in the Legal Community" presented by Tim Crawford, VP of Information Technology and CIO, All Covered, Division of Konica Minolta Business Solutions USA, Inc., and Richard Schulman, Managing Director of Legal Services, LAN Associates.







The program was well attended, and participants engaged in a lively Q&A discussion with the presenters. Based on the feedback sheets I collected, attendees found it informative and useful. Kudos to Tim and Richard!!

The presentation was followed by a lovely dinner enjoyed by everyone. The conversation heard among the various administrators during dinner was light and jovial. It was a chance to catch up with fellow administrators who we had not seen since last season. I love that it's also a chance to get to know some of the new members that have joined the association. It seems that, although we all work for firms of different sizes, they are still law firms, and the problems and issues we face daily are faced by us all at one time or another. The feedback one receives from a fellow administrator can sometimes prove to be invaluable.

After dinner, most of us began to make our way into the exhibit hall to meet and speak with the various business partners. I found all the business partners I spoke with to be quite knowledgeable about their products.

The room quickly filled as the administrators worked the different tables collecting product information as well as the pens, candies, and other trinkets that were being offered. And of course, every administrator made sure to drop off his/her business card for the drawing that was to be held at the end of the event.

As I strolled from exhibitor to exhibitor, I realized that I've come to

Business Partner Expo

(Continued from page 24)

know many of these business partners for a good number of the many years I've been in this industry. I personally benefited from learning about new products and services that may be helpful to my firm. What I liked best was that I got to meet the people face to face. This is important.

The evening went by quickly, and the drawings took place. Mark Seckinger of Omega Legal Systems was the lucky winner of the 50/50 raffle. This year's scholarship winner is Doreen Marino of Lerner David Littenberg Krumholz & Mentlik, LLP, who will be going to the 2012 ALA Conference & Exposition in Hawaii. Maybe I can stow away in her suitcase! Of course, a BIG THANK YOU to the business partners for all the various prizes provided for the business card drawings. This year, the winner of a "free" table at next year's Business Partner Expo was Electronic Office Systems.

I had a fun time, and I really hope that most of the other attendees felt that way as well. It was a great event to kick off the NJALA season. It was also a great event because it's not hard to see that the association is made up of people who really work hard to make it happen, and who really care. The event committee did an outstanding job, as you would expect, putting the event together. Thank you to all. Enjoy the rest of 2011/2012.

Angela Segal is the Administrator at Latham & Watkins, LLP in Newark













